



ER  
1644/14

PATENT  
ATTORNEY DOCKET NO. 056159-5041

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Inventors: Leo G.J. FRENKEN <i>et al.</i>	)	
	)	
Application No.: 09/807,172	)	Group Art Unit: 1644
	)	
Filed: April 10, 2001	)	Examiner: M. Dibrino
	)	
For: ANTIGEN-BINDING PROTEINS	)	

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is a Preliminary Amendment and Reply to Office Action (Restriction Requirement) dated January 10, 2005 in connection with the above application.
2. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.
- ☒ Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00
<input checked="" type="checkbox"/> <b>five months</b>	<b>\$ 2,160.00</b>	<b>\$1,080.00</b>

Extension of time fee due with this request: **\$2,160.00.**

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

3. Constructive Petition

- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

4. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))		minus	20	0	x \$50 each=	+ \$0
Independent Claims (37 C.F.R. §1.16(b))		minus	3	0	x \$200 each=	+ \$0
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$0
SUB-TOTAL =						\$0
Reduction by 2 for filing by a small entity						- \$0
TOTAL FEE =						\$0

5. Fee Payment

[ X ] The Commissioner is hereby authorized to charge **\$2,160.00** to Deposit Account 50-0310.

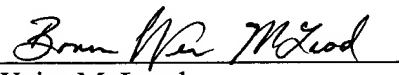
[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 CFR § 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: June 27, 2005

By:

  
Bonnie Weiss McLeod  
Reg. No. 43,255

**CUSTOMER NO. 09629**  
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1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
202-739-3000



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**PRELIMINARY AMENDMENT AND REPLY TO OFFICE ACTION  
(RESTRICTION REQUIREMENT)**

This Reply is responsive to the Office Action dated January 10, 2005, the time period for response to which ended February 10, 2005. A petition and fee for a five month extension of time is submitted herewith, thereby extending the period for response to July 10, 2005. Entry and consideration of the following amendments and remarks are respectfully requested.

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